

# EXHIBIT A

FILED: ERIE COUNTY CLERK 10/05/2018 02:44 PM  
NYSCEF DOC. NO. 1

INDEX NO. 815565/2018

RECEIVED NYSCEF: 10/05/2018

STATE OF NEW YORK  
SUPREME COURT : COUNTY OF ERIE

LAWRENCE NOWICKI  
7287 Boston State Road  
Hamburg, New York 14075

SUMMONS

Plaintiff,  
v.  
Index No.:

YRC WORLDWIDE INC. a/k/a YRC  
FREIGHT  
66 Milens Road  
Tonawanda, New York 14150

and

SCREEN TIGHT  
South,  
2235 I-45BL  
Corsicana, TX 75110

Defendants.

**TO THE ABOVE-NAMED DEFENDANTS:**

**YOU ARE HEREBY SUMMONED AND REQUIRED** to serve upon Plaintiff's attorneys, at the address stated below, a written Answer to the attached Complaint.

If this Summons is served upon you within the State of New York by personal service, you must respond within twenty (20) days after service, not counting the day of service. If this Summons is not personally delivered to you within the State of New York, you must respond within thirty (30) days after service is completed, as provided by law.

If you do not respond to the attached Complaint within the applicable time limitation stated above, a Judgment will be entered against you by default for the relief demanded in the Complaint without further notice to you.

This action is brought within the County of Erie and the State of New York because of the residence of the Plaintiff.

**Collins & Collins**  
ATTORNEYS, LLC

a. 267 North Street, Buffalo, New York 14201 n. p. 716 885 9700

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DATED: Buffalo, New York  
October 5, 2018

  
ETHAN W. COLLINS, ESQ.  
COLLINS & COLLINS, LLC  
*Attorneys for Plaintiffs*  
267 North Street  
Buffalo, New York 14201  
(716) 885-9700

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a 267 North Street, Buffalo, New York 14201 □ p 716 885 9700

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STATE OF NEW YORK  
SUPREME COURT : COUNTY OF ERIE

LAWRENCE NOWICKI,

Plaintiff,

COMPLAINT

v.

YRC WORLDWIDE INC. a/k/a YRC  
FREIGHT., and  
SCREEN TIGHT.

Index No.:

Defendants.

Plaintiff, LAWRENCE NOWICKI, by and through his attorneys, COLLINS & COLLINS ATTORNEYS, LLC, as and for his Complaint against the defendants, YRC FREIGHT a/k/a YRC INC., and SCREEN TIGHT, alleges:

1. The plaintiff, LAWRENCE NOWICKI, at all times hereinafter resides in the Town of Hamburg, the County of Erie, and State of New York.
2. Upon information and belief, the defendant, YRC WORLDWIDE INC. a/k/a YRC FREIGHT ("YRC") was and is a foreign business corporation authorized to do business in the State of New York.
3. The defendant, YRC, conducts business in the State of New York, County of Erie, out of its main office at 66 Milens Road, Tonawanda, New York 14150.
4. Upon information and belief, the defendant, SCREEN TIGHT, is a foreign business corporation authorized to do business in the State of New York.
5. On July 7, 2017, LAWRENCE NOWICKI was employed by the Home Depot U.S.A., Inc ("Home Depot") at the Home Depot store located at 4405 Milestrip Road, Buffalo, New York.

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6. On and prior to July 7, 2017, plaintiff LAWRENCE NOWICKI, while an employee of Home Depot, routinely worked unloading packages that were delivered to the store.

7. On July 7, 2017, while in the course of his employment the plaintiff, LAWRENCE NOWICKI, was injured when a pallet of screen doors he was unloading fell upon him and caused him to suffer serious personal injuries.

8. Upon information and belief, the screen doors that injured the plaintiff were manufactured, packed, and/or palletized at a facility of the defendant, SCREEN TIGHT, located at South, 2235 I-45BL, Corsicana, TX 75110.

9. Upon information and belief, the screen doors that injured the plaintiff were packed, shipped, palletized, and/or delivered to Home Depot by the defendant, YRC, and/or one of its employees or agents.

10. The injuries suffered by the plaintiff, LAWRENCE NOWICKI, were caused solely as a result of the negligence of the defendants, their agents, servants and/or employees in packing, shipping, palletizing, and/or delivering the pallet of screen doors.

11. As a direct and proximate result of the negligence of the defendants, plaintiff has sustained serious, permanent and painful injuries by reason of which the plaintiff will suffer damages in an amount exceeding the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

WHEREFORE, the plaintiff, LAWRENCE NOWICKI, hereby claims and demands judgment against the defendants together with the costs and disbursements of this action.

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DATED: October 4  
Buffalo, New York

  
ETHAN W. COLLINS, ESQ.  
COLLINS & COLLINS ATTORNEYS, LLC  
*Attorneys for Plaintiff*  
267 North Street  
Buffalo, New York 14201  
(716) 885-9700

Collins&Collins  
ATTORNEYS, LLC

a 267 North Street, Buffalo, New York 14201 □ □ 716 885 9700